

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Lee E. Anderson, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and make a part hereof, hereby petition for a Variance from Section 409.2.b. 5 & C. To permit 8 parking spaces in lieu of the required 28 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Owner requires additional room for storage of merchandise

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

DATE March 20, 1979
BY Lee E. Anderson
Contract purchaser
Legal Owner
Address 815 Frederick Road
Baltimore, Maryland 21228
Petitioner's Attorney
Protestant's Attorney

BY ORDERED By The Zoning Commissioner of Baltimore County, this 1st day

of February, 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12th day of March, 1979, at 11:00 o'clock A.M.

S. Eric DiNenna
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: S. Eric DiNenna
Zoning Commissioner
Date: March 8, 1979
From: Leslie H. Groef, Director
Office of Planning and Zoning
Subject: Petition #79-213-A, Item 78.
Petition for Variance for parking
South side of Frederick Road, 131.5 feet West of Mellor Avenue
Petitioner - Lee E. Anderson

1st District

HEARING: Monday, March 19, (11:00 A.M.)

This office shares the concerns expressed by the representatives of State Highway Administration and the Department of Traffic Engineering to the Zoning Advisory Committee; hence, we are opposed to the granting of the subject petition.

Leslie H. Groef
Leslie H. Groef, Director
Office of Planning and Zoning

LHG:JGH:rw

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Frederick Rd., 131.5' : OF BALTIMORE COUNTY
W of Mellor Ave., 1st District
LEE E. ANDERSON, Petitioner : Case No. 79-213-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman John W. Hession, III
Peter Max Zimmerman John W. Hession, III
Deputy People's Counsel People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY THAT on this 28th day of February, 1979, a copy of the foregoing Order was mailed to Mr. Lee E. Anderson, 815 Frederick Road, Baltimore, Maryland 21228, Petitioner.

John W. Hession, III
John W. Hession, III

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
001-484-3363
S. ERIC DINENNA
ZONING COMMISSIONER

March 20, 1979

Mr. Lee E. Anderson
815 Frederick Road
Baltimore, Maryland 21228

RE: Petition for Variance
S/S of Frederick Road, 131.5'
W of Mellor Avenue - 1st
Election District
Lee E. Anderson - Petitioner
NO. 79-213-A (Item No. 78)

Dear Mr. Anderson:

I have this date passed my Order in the above referenced matter, in accordance with the attached.

Very truly yours,
S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

SED:mr

Attachment

cc: John W. Hession, III, Esquire
People's Counsel

PROPERTY DESCRIPTION -813-815 FREDERICK ROAD

BEGINNING on the south side of the Baltimore and Frederick Turnpike Road, now known as Frederick Road, at the distance of 131.5 feet west of Mellor Avenue and running thence S 16° 15' E 135' thence S 73° 08' 10" W 25' thence N 16° 15' W 135' thence N 73° 08' 10" E 25' to the place of beginning.

PROPERTY DESCRIPTION OF NO. 819 FREDERICK ROAD

BEGINNING on the south side of Frederick Road approximately 171' west of Mellor Avenue and running thence S 16° 15' E 150', thence S 73° 08' 10" W 32', thence N 16° 15' W 150', thence N 73° 08' 10" E 32' to the place of beginning.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 1st day of February, 1979

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner Anderson
Petitioner's Attorney

Mr. Lee E. Anderson
815 Frederick Road
Baltimore, Maryland 21228

Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

cc: Jerome Shuman
4796 Byron Road
Pikesville, Maryland 21208

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

February 27, 1979

Mr. Lee E. Anderson
815 Frederick Road
Baltimore, Maryland 21228

RE: Item No. 78
Petitioner - Anderson
Variance Petition

Dear Mr. Anderson:

Because I have received revised site plans, which incorporate the comments that were submitted to you on January 23, 1979, this petition is accepted for filing on the date of the enclosed certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Enclosed for your review is a revised comment from the Fire Department.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:ef
enclosure

cc: Jerome Shuman
4796 Byron Road
Pikesville, Maryland 21208

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s),

the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit eight parking spaces in lieu of the required twenty-eight spaces should be granted.

THIS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of March, 1979, that the herein Petition for the aforementioned Variance(s) should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, the Zoning Commissioner of Baltimore County, the Department of Public Works, and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1979, that the aforementioned Variance(s) be and the same is/are hereby DENIED.

Zoning Commissioner of Baltimore County



Paul H. Reineke
CHIEF

February 8, 1979

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Lee E. Anderson

Location: S/S Frederick Rd. 131.5' W Mellor Ave.

Item No. 78 Revised Zoning Agenda Meeting of 10/17/78

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle load and condition shown at exceeds the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *George M. Wagonet*
Planning Group
Special Inspection Division
Noted and Approved: *George M. Wagonet*
Fire Prevention Bureau

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition does not meet the Zoning Commissioner's requirements for filing, as per attached.

Eric DiNenna
B. ERIC DINENNA,
Zoning Commissioner

Owner(s) Name: Lee E. Anderson

Reviewed by: Nicholas B. Commodari

Mr. Lee E. Anderson
815 Frederick Road
Baltimore, Maryland 21228

cc: Jerome Shuman
4790 Byron Road
Pikesville, Maryland 21208

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 23, 1979

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Lee E. Anderson
815 Frederick Road
Baltimore, Maryland 21228

RE: Item No. 78
Petitioner - Anderson
Variance Petition

Dear Mr. Anderson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Located on the south side of Frederick Road, approximately 131 feet west of Mellor Avenue, in the 1st Election District, the subjects of this petition are properties improved with a beauty salon/residence, and a store/office. Because of your proposal to construct a two-story addition to this latter structure, and coupled with the fact that there is a lack of adequate parking, this Variance hearing is required.

As indicated in our previous conversation, the requirements of the Bureau of Engineering and the State Highway Administration, must be resolved prior to the scheduling of a hearing date. In addition, particular attention should be afforded those comments of the Department of Permits & Licenses.

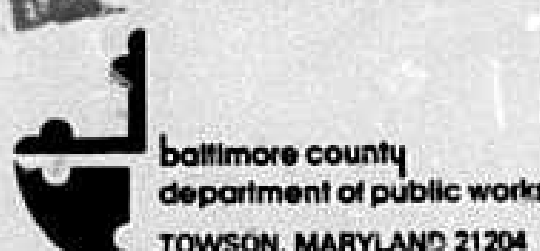
This petition is being withheld from a hearing date until such time as revised plans are received that reflect the comments above, and any comments from other departments as requested.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/st

cc: Jerome Shuman
4790 Byron Road
Pikesville, Maryland 21208



THORNTON M. MOURING, P.E.
DIRECTOR

December 11, 1978

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #78 (1978-1979)
Property Owner: Lee E. Anderson
S/S Frederick Rd. 131.5' W Mellor Ave.
Existing Zoning: B.L.-C.C.C.
Proposed Zoning: Variance to permit 8 parking spaces in lieu of the required 28 spaces.
Acre: Parcel 1 - 3375 sq. ft.; Parcel 2 - 4800 sq. ft.
District: 1st

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Frederick Road (Md. 144) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

The status of the indicated 14-foot alley is unknown to this office. It is the responsibility of the Petitioner to ascertain and clarify rights therein. Ultimate improvements of this alley will be as a 20-foot commercial type alley on a 24-foot right-of-way. The existing alley westerly toward Mellor Avenue has deteriorated to a rough, uneven, loose aggregate surface. The Petitioner's indicated proposed improvements would reduce the approximate width of the travelled way of this alley from 22 feet to 7 feet, and preclude the ultimate commercial type alley improvements.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #78 (1978-1979)
Property Owner: Lee E. Anderson
Page 2
December 11, 1978

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

There are public 10 and 12-inch water mains and public 10-inch sanitary sewerage in Frederick Road.

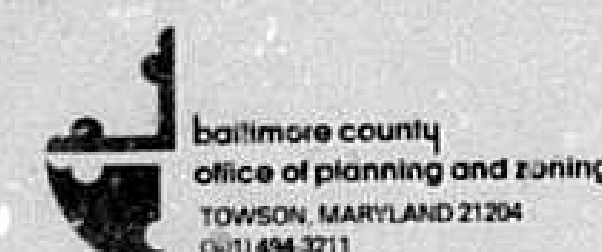
Very truly yours,

Elsworth N. Diver, P.E.
ELSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:SS

cc: J. Trenner
J. Somers
J. Wimbley

H-NE Key Sheet
10 SW 23 Pos. Sheet
SW 3 F Topo
101 Tax Map



LESLIE H. GRAEF
DIRECTOR

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #78, Zoning Advisory Committee Meeting, October 17, 1978, are as follows:

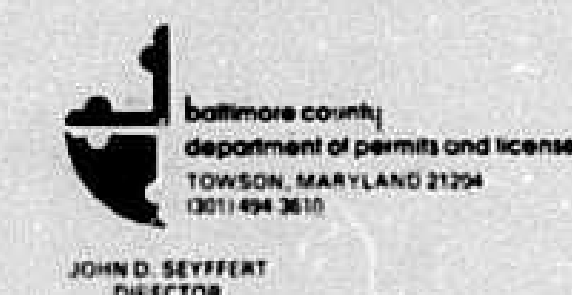
Property Owner: Lee E. Anderson
Location: S/S Frederick Road 131.5' W Mellor Avenue
Existing Zoning: B.L.-C.C.C.
Proposed Zoning: Variance to permit 8 parking spaces in lieu of the required 28 spaces.
Acre: Parcel 1 - 3375 sq. ft.; Parcel 2 - 4800 sq. ft.
District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The proposed fence at the intersection of alleys could create problems for vehicles using said alleys. This office concurs with the comments of the Bureau of Engineering.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Zoning



Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #78 Zoning Advisory Committee Meeting, October 17, 1978 are as follows:

Property Owner: Lee E. Anderson
Location: S/S Frederick Road 131.5' W Mellor Ave.
Existing Zoning: B.L.-C.C.C.
Proposed Zoning: Variance to permit 8 parking spaces in lieu of the required 28 spaces.

Acre: Parcel 1 - 3375 sq. ft.; Parcel 2 - 4800 sq. ft.
District: 1st

The items checked below are applicable:

XA. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building Code and all other applicable codes.

B. A building permit shall be required before construction can begin.

XC. Additional occupancy & other miscellaneous permits shall be required.

XD. Building shall be upgraded to new law - requires alteration permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

XF. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code - See Section _____.

I. No Comment.

XJ. Comment: Building is located in Fire Zone No. 2 - See Baltimore County Supplement to B.O.C.A. Building Code and Section 304.0 of B.O.C.A. Code in Design of structure. See also Section 213.0 and Table 16 for occupancy separations required.

Very truly yours,

Charles E. Shuman
Charles E. Shuman
Plans Review Chief

